

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

v.

CHRISTOPHER CANTWELL

]
]
]
]
]
]

No. 20-CR-00006-PB

SUPPLEMENT TO MOTION IN LIMINE # 1:

**TO ADMIT EVIDENCE OF THE BOWL PATROL AND BOWLCAST AND THE
ALLEGED VICTIM'S INVOLVEMENT THEREIN**

This supplement is intended to provide additional evidence relating to the alleged victim's motive and bias as evidenced by public statements of the alleged victim and Bowl Patrol members. As noted in the initial motion, the Defense intends to assert that the alleged victim was motivated to lie as he feared criminal culpability pertaining to his involvement in the Bowl Patrol. The Defense intends to show, as described herein, that the alleged victim's participation in threatening to rape [REDACTED] [REDACTED] [REDACTED] motivated him to please the FBI agents who sought his cooperation in this prosecution. More broadly, statements cited herein demonstrate that Cheddarmane and his compatriots knew that the Bowlcast's violent and terroristic content would put them at risk of investigation and prosecution by federal law enforcement.

“Rape [REDACTED] [REDACTED] should be “the front post,” introducing the episode, that the “episode write up” should be “Rape [REDACTED] [REDACTED] asking “Who raped [REDACTED] [REDACTED] right now?” saying “Rape [REDACTED] [REDACTED] to death,” and asking “Can we rape [REDACTED] [REDACTED] with [a suspected federal informant]?” Cheddarmane participated in this discussion. Even before discussing raping [REDACTED] [REDACTED] the hosts acknowledged that they were “close to over the line” and were “fedposting.” “Fedposting” is a slang word used to describe statements posted online that are likely to draw federal law enforcement’s attention.³ After they discussed raping [REDACTED] [REDACTED] there appeared to be some concern among the participants that they had crossed a line. One host noted “that you just did it [in reference to saying rape [REDACTED] [REDACTED] it was damn near perfect . . . and now you you’re saying we cannot do it?” Mackey then explained that this needed to be “wrapped up” and the episode concluded soon thereafter.

Clip from Cantwell’s Radical Agenda Show

On March 4, 2020, the Government provided the Defense a clipped portion of Cantwell’s radio show. The Defense presumes that law enforcement reviewed the Defendant’s online show, at least in part, for statements relevant to the question of pretrial detention. The Government entitled the clip “Threat to [REDACTED] [REDACTED] [REDACTED] (10.15.18).” Exhibit A-2. The threat to [REDACTED] was by a caller to the show who said: “Everyone needs to do their absolute best to try and do what is right for the white

³ This is a commonly used phrase among the Bowl Patrol and similar groups. Fedposting has several purposes. It can be used as a weapon by, for example, fedposting on a rival’s website to attract unwanted law enforcement attention to that rival. It can be used as a tool to boast about one’s dedication to extremism by saying things likely to make the speaker a target federal law enforcement. It can also reference posts by someone believed to be working with federal law enforcement that are intended to entrap others into saying something that could result in prosecution.

race . . . but I think one of those things is ‘Don’t trust cops.’ As far as that special agent [REDACTED] fucking [REDACTED] . . . he’s a piece of shit and I hope he dies of brain cancer, and I’m going to send Mosin Nagant to shoot his fucking grave after he dies as that’s Mosin’s new hobby . . .” Cantwell responded that was “too . . . edgy [for] me”. Mosin Nagant is a Bowl Patrol member and Bowlcast contributor.

Although this clip was likely intended by the Government to further its assertion that the Defendant was dangerous (as it accompanied other evidence relevant to that purpose), the call bolsters the alleged victim’s motive to lie in this case. Upon information and belief, the caller in “Threat to [REDACTED] [REDACTED] [REDACTED] (10.15.18)” was Cheddarmane. Based upon the Defense’s review of hours of Cheddarmane recordings, the caller’s voice is clearly identifiable as Cheddarmane. Cantwell’s show’s call log from that day includes a call from Cheddarmane’s phone number. *See* Exhibit B (showing call from Cheddarmane’s phone number to Cantwell’s show on October 15, 2018).⁴ Additionally, in the fourth Bowlcast episode, Cheddarmane made a nearly identical statement involving the same unique conduct with the same accomplice, saying “me and Mosin like to go out and shoot bullets into all the dead cops graves . . .”

⁴ This exhibit isolates all calls from Cheddarmane’s primary phone number to Cantwell’s show. The relevant call from October 15, 2018 is highlighted. As noted in the original motion, Cheddarmane acknowledged a pattern of “prank” calling Cantwell’s show.

██████████ and Cantwell meme produced by Cheddarmane.

The Bowl Patrol relished calling Cantwell a federal informant and publicly linking him to ██████████ ██████████. In speaking with the FBI, Cheddarmane explained that “I’ve made a couple memes of him, like the meme of – um – ██████████ going like this and then Cantwell mopping the floor of the FBI.”



17239_REP-000621. ██████████ picture is visible in the image posted online in the left hand side. This meme served a dual purpose; it branded Cantwell as a federal informant and identified ██████████ as the public face of the ██████████ investigations of the far right.

II. Statements about raping ██████████ ██████████ and fedposting are admissible as they demonstrate the alleged victims’ bias, motive, and self interest in regards to statements made in this case.

For the reasons stated herein and in the original motion, the alleged victim had compelling reasons to fear criminal liability. As detailed above, he actively

participated in publishing photographs identifying [REDACTED] [REDACTED] and participated in publicly discussing and encouraging his rape and murder. During the Bowlcast, where Cheddarmane was present, the group described their actions as “fedposting” likely to be scrutinized by federal law enforcement. On the following episode of the Bowl Patrol, also starring Cheddarmane, Mackey asked a guest whether there was “anything you want to say to our law enforcement . . . listeners right now?” Exhibit A-3.⁵ Additionally, the group commonly discussed the plight of white supremacists prosecuted by the federal government, including a case in which they reference [REDACTED] [REDACTED] as the relevant investigator. *Id.* (Mackey discussing [REDACTED] and the prosecution of “RAM” [Rise Above Movement])⁶; *see e.g.*, Exhibit A-4 (Mackey discussing how a “federal informant” was “intentionally fedposting in front of” white supremacist Matt Hale and that led to Hale serving “forty years” in prison)⁷. These statements demonstrate that Cheddarmane was aware of his potential liability (and believed the FBI was similarly aware) prior to the commencement of his October 2019 interview with the FBI. Cheddarmane was reminded of this liability when the FBI “held” his involvement “over his head” to get his statement against Cantwell. As discussed herein, among the things being held over his head were death and rape

⁵ This question introduces a discussion of Mackey’s belief that law enforcement works with Antifa. Included in that discussion is a reference to the criminal prosecution of other white supremacists in a case involving Agent [REDACTED]

⁶ Scalafani, Julia, *4 Linked to Huntington Beach White Supremacist Group are Indicted on Federal Conspiracy and Riot Charges*, LA Times, Nov. 2, 2018 available at <https://www.latimes.com/socal/daily-pilot/news/tn-dpt-me-ram-indictment-20181102-story.html> (last visited Sept. 7, 2020) (“The indictment charges them with conspiracy to commit and offense against the United States and includes detailed accounts of 47 acts by RAM members or affiliates.”).

⁷ O’Connor, Matt, *Hale gets 40 Years for Plot to Kill Judge*, Chicago Tribune, April 7, 2005 available at <https://www.chicagotribune.com/news/ct-xpm-2005-04-07-0504070253-story.html> (last visited Sept. 7, 2020) (“White supremacist Matthew Hale was sentenced to 40 years in prison Wednesday by a federal judge who called him ‘extremely dangerous’ and said his solicitation to murder U.S. District Judge Joan Lefkow was “an extreme, egregious attack against the rule of law”).

threats against an [REDACTED]. This evidence of motive is not speculative; it is concrete, publicly and privately acknowledged, and relevant for the reasons discussed in greater detail in the original motion.

Respectfully submitted,
Christopher Cantwell
By His Attorney,

Date: September 8, 2020

/s/ Eric Wolpin
Eric Wolpin
N.H. Bar No. 18372
/s/ Jeff Levin
Jeff Levin
N.H. Bar No. 12901
Assistant Federal Defender
Federal Defender Office
22 Bridge Street
Concord, NH 03301
Tel. (603) 226-7360
E-mail: eric_wolpin@fd.org

CERTIFICATE OF SERVICE

I hereby certify that the above document was served on September 8, 2020 to all counsel of record and in the manner specified herein: electronically served through ECF.

/s/ Eric Wolpin
Eric Wolpin
N.H. Bar No. 18372
Assistant Federal Defender
Federal Defender Office
22 Bridge Street
Concord, NH 03301
Tel. (603) 226-7360
E-mail: eric_wolpin@fd.org